

# Lack of free-dumping ple dge cools council to landfill pact

By SUSAN BECKER

The proposed contract between Solon and Inland Reclamation Inc. for the operation of the city's landfill is in jeopardy. A majority of the members of council said last week they are unsatisfied with two major points in the contract.

At a special meeting of council last Wednesday, members of council said they want a 10-year guarantee of free dumping and possibly a \$1 million performance bond posted by James Palladino, Inland owner. Thomas Longo, the assistant city law director who has been negotiating with Palladino, said he doubts that Palladino will meet those conditions.

Longo said the 10-year guarantee was the subject of a meeting with Inland several weeks ago, when the point was discussed for two or three hours.

"He (Palladino) is pretty adamant about not giving us a concrete guarantee for 10 years," Longo said. He added that he doesn't think Palladino would agree to the performance bond either.

Mayor Charles J. Smercina, who was authorized by council to initiate the negotiations, previously gave council assurance that the city would receive a minimum of 10 years free dumping. He made no comment on the guarantee when the subject was discussed last week. He said the city is out of the

landfill business at the present time and has no alternative but to relinquish the operation to private hands.

The actual wording of the contract states, "the term of this agreement shall be for a period of 10 years commencing from the date of execution or until the Solon landfill and the adjacent

Inland Landfill are no longer lawfully permitted to accept solid disposable refuse, whichever comes first."

Councilman Norman Olszewski said that, as written now, Palladino could fill up the Solon landfill and Inland's landfill in four or five years and leave

Solon without a place to dispose of its refuse.

The city also would be without legal grounds to force Palladino to provide for disposal elsewhere, Olszewski said. Longo agreed with Olszewski that the city would not have legal grounds to force Palladino to provide 10 years of free dumping.

Longo added, however, that Palladino has estimated that his operation will last at least 20 years and that he has promised to be discriminating in the type and amount of rubbish he accepts.

Since it has been estimated that it would cost the city \$100,000 a year to dispose of its refuse elsewhere, Olszewski proposed that Palladino post a decreasing performance bond. Approximately \$1 million would be required the first year and would be reduced by \$100,000 a year until the contract expires, according to the proposal.

"If he has an estimate of 15 to 20 years for that landfill, I can't see why he won't give us a guarantee of 10 years, Olszewski said.

Councilman John J. Kurpell said he is against turning the landfill over to private hands regardless of the conditions of the contract.

"I know I don't have much support behind me on this but I can see the handwriting on the wall," Kurpell said.

"In two or three years, the landfills will be full and we'll be paying to haul our garbage elsewhere."

He also said he disagrees with the half-million-dollar estimate given by Smercina to get the landfill in proper operating condition. He said he talked to manufacturers of landfill equipment and received a quote of \$125,000 to \$150,000 for a traxcavator that the manufacturer said would be adequate for Solon.

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Olszewski and Vice Mayor Charles B. Lynch, however, said a traxcavator is not the right type of equipment for the landfill and the reason Solon's landfill is in such poor condition is because of a traxcavator's inefficiencies.

Councilman Richard Gortz said the question of whether or not the city should get out of the landfill business has already been answered and council should concentrate on getting the best deal possible.

wrong," Gortz said. "It's probably on the low side... You have to consider salaries and yearly operating costs in addition to new equipment."

The contract, which was being held on second reading at the council table, was sent back to the drainage and sanitation committee for further study. Longo was instructed to contact Palladino again in regards to the guarantee and to discuss the performance bond.

The idea of turning the landfill over to a private operator originated early in 1978, after council refused to authorize the mayor to spend \$30,000 to repair the main piece of landfill equipment, the traxcavator.

In addition to the recurring repair costs, the city had received warnings from the County board of health and the OEPA about running a substandard landfill.

With those factors in mind, council authorized the mayor to contact private operators. Although several companies expressed interest, initially, Smercina said Inland was the only firm willing to negotiate on council's terms.

Negotiations with Palladino have been going on for more than a year. Palladino has been handling the city's refuse since last November at a rate that will not be determined until the contract is completed.

Longo said all changes previously recommended by council have been in-

cluded in the revised contract.

These changes include removal of the word "affiliates" from the contract in order to hold Palladino responsible for fulfilling the terms of the agree-

ment. Liability insurance was increased from \$250,000 to \$500,000.

A clause was also added to prevent any incoming traffic to the site after regular operating hours.

Inland